

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA, *et al.*, *ex rel.*
ZACHARY SILBERSHER,

Plaintiffs,

v.

JANSSEN BIOTECH, INC., JANSSEN ONCOLOGY,
INC., JANSSEN RESEARCH & DEVELOPMENT,
LLC, and JOHNSON & JOHNSON,

Defendants.

Civil Action No. 19-12107 (KM) (ESK)

Hon. Edward S. Kiel, U.S.M.J.

**STIPULATION AND AMENDED
SCHEDULING ORDER**

The parties in the above-captioned matter have met and conferred and, subject to this Court's approval, respectfully submit this Stipulation and Proposed Amended Scheduling Order.

WHEREAS, on May 25, 2022, the Court entered the parties' Joint Proposed Discovery Plan, ECF 213;

WHEREAS, under the current Joint Discovery Plan, fact discovery is currently scheduled to end on August 7, 2023;

WHEREAS, the Court has scheduled a status conference on July 25, 2023;

WHEREAS, the Parties agree that a number of discovery issues remain unresolved, including third-party discovery and the scheduling of depositions, such that it would be impractical to proceed under the current schedule as set forth in the Joint Discovery Plan, ECF 213;

WHEREAS, in advance of the July 25, 2023 status conference, the parties have met and conferred regarding a proposed amended scheduling order, and have mutually agreed to the schedule as set forth below to govern future proceedings in this case.

NOW, THEREFORE, it is hereby stipulated and agreed, and upon approval by the Court

it shall be SO ORDERED:

The Parties agree to the following proposed amended scheduling order:

Event/Deadline	Previous Deadline	New Deadline
Close of fact discovery, including all fact-witness depositions	13 months from July 7, 2022 status conference	March 7, 2024
Relator's expert report(s)	60 days from close of discovery	May 7, 2024
Defendants' expert report(s) and rebuttal(s)	60 days from Relator's expert report(s)	September 9, 2024
Relator's rebuttal expert report(s)	60 days from Defendants' expert report(s)	December 9, 2024
Close of expert discovery	Two months from Relator's rebuttal report(s)	February 10, 2025
<i>Daubert</i> Motions	Four weeks from close of expert discovery	March 10, 2025
Final date for motions for summary Judgment	Eight weeks from close of expert discovery	May 12, 2025
Oppositions for motions for summary judgment	45 days from date of filing of motion	June 26, 2025
Replies in support of motions for summary judgment	30 days from date of filing of opposition	July 26, 2025
Pre-trial conference	21 days after resolution of dispositive motions and appeals, if any	21 days after resolution of dispositive motions and appeals, if any

Dated: June 20, 2023

Respectfully submitted,

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and Johnson & Johnson*

SO ORDERED:

/s/ Edward S. Kiel

The Hon. Edward S. Kiel
United States District Court

June 21, 2023

Date